

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No: 3:08-MD-1976**

**IN RE LENDINGTREE, LLC CUSTOMER  
DATA SECURITY BREACH  
LITIGATION**

**DEFENDANTS' CONSOLIDATED  
MOTION TO STAY AND TO COMPEL  
ARBITRATION PURSUANT TO  
SECTIONS 3 AND 4 OF THE FEDERAL  
ARBITRATION ACT**

Defendants Home Loan Center, Inc. d/b/a LendingTree Loans and LendingTree, LLC respectfully move the Court, pursuant to Sections 3 and 4 of the Federal Arbitration Act, to stay the five lawsuits transferred to this Court by the Judicial Panel on Multidistrict Litigation and compel these plaintiffs to individual (non-class) arbitration. The reasons supporting this motion are detailed in the consolidated memorandum filed contemporaneously with this motion.

This 17<sup>th</sup> day of November, 2008.

s/ Robert E. Harrington \_\_\_\_\_

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## CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **DEFENDANTS' CONSOLIDATED MOTION TO STAY AND TO COMPEL ARBITRATION PURSUANT TO SECTIONS 3 AND 4 OF THE FEDERAL ARBITRATION ACT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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This 17th day of November, 2008.

s/ Robert E. Harrington

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